

## **REMARKS**

This paper is being provided in response to the April 8, 2004 Final Office Action for the above-referenced application. In this response, Applicants have amended claims 1, 2, 4, 7-13, 15, 18, 19, 21, 24-30, and 32 to clarify that which Applicants deem to be the invention. Applicants respectfully submit that the modifications to the claims are all supported by the originally filed application.

The rejection of Claims 18-34 under 35 U.S.C. 101 has been addressed by claim amendments provided herein in accordance with the guidelines provided in the Office Action. Accordingly, Applicants respectfully request that this rejection be withdrawn.

The rejection of Claims 9 and 26 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,325,526 to Cameron (hereinafter "Cameron") is hereby traversed and reconsideration thereof is respectfully requested in view of amendments to the claims contained herein. Applicants respectfully submit that Claims 9 and 26 are patentable over Cameron for reasons set forth in detail below.

Claim 9, as amended herein, recites a method of scheduling tasks in a multitasking operating system. The method includes choosing a particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers and where at least one of the plurality of schedulers selects processes to be run from a plurality of runnable processes different from the plurality of schedulers and running the particular scheduler to schedule tasks.

Claim 26, as amended herein, recites computer software in combination with a computer readable medium that schedules tasks in a multitasking operating system. The software includes executable code, provided on a computer readable medium, that chooses the particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers and where at least one of the plurality of schedulers selects processes to be run from a plurality of runnable processes different from the plurality of schedulers and executable code, provided on a computer readable medium, that runs the particular scheduler to schedule tasks.

Cameron discloses executing a plurality of computer application programs on a multicomputer using a task scheduling system in a multicomputer having nodes arranged in a network. Cameron discloses an allocator and scheduler component, which comprises processing logic and data for implementing the task scheduler. The allocator and scheduler operates in conjunction with a partition to assign tasks to a plurality of nodes. A partition is an object comprising a plurality of items of information and optionally related processing functions for maintaining a logical environment for the execution of tasks of one or more application programs. Application programs are allowed to execute on one or more nodes of a partition. At column 5, lines 44-65 and column 6, lines 32-45, Cameron discloses multiple tasks running concurrently on multiple processors.

Applicants respectfully submit that Cameron does not show, teach, or suggest a feature of the present claimed invention that includes choosing a particular scheduler

from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers. In the first place, even if Cameron discloses multiple schedulers running concurrently on multiple processors, there does not appear to be any disclosure in Cameron relating to choosing *any* particular scheduler. Furthermore, Cameron does not appear to disclose any scheme where there is more than one scheduler (as recited in claims 9 and 26) and where at least one scheduler is different from another scheduler. Rather, Cameron appears to be silent with respect to choosing a particular scheduler or having different types of schedulers.

In contrast, the present claimed invention specifically recites choosing a particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers. These features, and the advantages thereof, are described, for example, beginning at line 18 on page 22 of the specification. The advantages of different schedulers include, *inter alia*, the flexibility to provide different schedulers for different purposes, such as at start up and in connection with profiling.

Based on the above, Applicants respectfully request that this rejection be withdrawn.

The rejection of Claims 1-8, 10, 25, and 27-34 under 35 U.S.C. 103(a) as being unpatentable over Cameron and further in view of U.S. Patent No. 5,630,130 to Perotto (hereinafter “Perotto”) is hereby traversed and reconsideration thereof is respectfully

requested in view of amendments to the claims contained herein. Applicants respectfully submit that Claims 1-8, 10, 25, and 27-34 are patentable over Perotto for reasons set forth in detail below. In addition, based on the discussion in the Office Action, Applicants assume that this rejection includes claims 11-24.

Claim 1, as amended herein, recites a method of providing a particular scheduler for a multitasking system for a processor. The method includes choosing the particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers and where at least one of the plurality of schedulers selects processes to be run from a plurality of runnable processes different from the plurality of schedulers, setting a program counter to an address corresponding to code of the particular scheduler, and the processor executing code at an address corresponding to the program counter. Claims 2-8 depend directly or indirectly from claim 1.

Claims 10-17 depend directly or indirectly from Claim 9, discussed above.

Claim 18, as amended herein, recites computer software in combination with a computer readable medium that provides a particular scheduler for a multitasking system for a processor. The software includes executable code, provided on a computer readable medium, that chooses the particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers and where at least one of the plurality of schedulers selects processes to be run

from a plurality of runnable processes different from the plurality of schedulers, executable code, provided on a computer readable medium, that sets a program counter to an address corresponding to code of the particular scheduler; and executable code, provided on a computer readable medium, that causes the processor to execute code at an address corresponding to the program counter. Claims 19-24 depend directly or indirectly from claim 18.

Claims 27-34 depend directly or indirectly from Claim 26, discussed above.

Cameron is discussed above.

Perotto discloses a multitasking controller having task storage means (2) for storing up to N tasks (P0,P1,P2,P3) where each task comprises a sequence of instructions. The controller also includes a microprocessor for processing, by time-sharing, a plurality of such N tasks, and a random access memory (12) for storing variable data created and used by said microprocessor. The microprocessor further includes a scheduler (7) realized in hardware for controlling the use of the microprocessor or by such processes, and program counter storage means for storing N program counters (Pc0,Pc1,Pc2,Pc3) each for use by the scheduler (7), which is able select a different one of the program counters (Pc0,Pc1,Pc2,Pc3) when the task processed by the microprocessor is changed without the transfer of data from the random access memory (12).

Applicants respectfully submit that all of the independent claims of the present application, Claims 1, 9 (discussed above), 18, and 26 (discussed above) all recite some form of choosing a particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers. As discussed above, Cameron, by itself, does not show, teach, or suggest this feature because, even if Cameron discloses multiple schedulers running concurrently on multiple processors, there does not appear to be any disclosure in Cameron relating to choosing *any* particular scheduler. Furthermore, Cameron does not appear to disclose any scheme where there is more than one scheduler (as recited in claims 9 and 26) and where at least one scheduler is different from another scheduler. Rather, Cameron appears to be silent with respect to choosing a particular scheduler or having different types of schedulers.

In addition, the deficiencies of Cameron are not overcome by the addition of Perotto, especially since Perotto discloses a *single* scheduler that schedules one of the four disclosed tasks (P0, P1, P2, P3). Since Perotto only discloses a single scheduler, Perotto (like Cameron) can not show, teach, or suggest a recited feature of the present claimed invention relating to choosing a particular scheduler from a plurality of schedulers, where at least one of the plurality of schedulers is different from another one of the plurality of schedulers.

Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn.

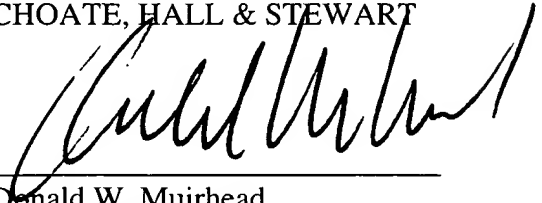
Based on the above, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

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Date

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